



WASHINGTON STATE ATTORNEY GENERAL'S OFFICE

Hate Crimes and Bias Incidents – Information for Victims

What is a Hate Crime?

In Washington, a person is guilty of a hate crime offense if they maliciously and intentionally commit one of the acts listed below based on the attacker's perception of a victim's race, color, religion, ancestry, national origin, gender, sexual orientation, gender expression or identity, or mental, physical, or sensory disability.



- Physical injury to the victim or anyone else.
- Damage or destruction of the property of the victim or another person.
- Threats to a person or group of people in such a way that causes the victims to have a “reasonable fear” that the attacker will cause physical injury or property damage.

Hate crimes are considered a class C felony in Washington State and carry a maximum sentence of five years of imprisonment and/or a \$100,000 fine. The victim of hate crimes can bring a civil lawsuit against the harasser for actual damages, punitive damages of up to \$100,000, and reasonable attorneys' fees and costs incurred in bringing the action.

RCW [9A.36.080](#), RCW [9A.36.083](#)

What is a Bias Incident?

The United States Department of Justice defines bias incidents as acts of prejudice that are not criminal in nature and do not involve violence, threats, or property damage. Threatening words do not constitute a hate crime offense if it is apparent to the victim that the person does not have the ability to carry out the threat. Just because these incidents cannot be criminally charged does not mean they are not important to report. These kinds of incidents have negative impacts on whole communities and deserve to be elevated and understood by the public. Some examples of bias incidents include:

- Yelling profanity and insults;
- Distributing racist flyers in public places; and
- Displaying hateful materials on private property.

What should I do if I believe that I am a victim of a hate crime?

- **Make sure you are safe. If you need to, move to a safe place.**
- **Call 911 to report the crime as soon as you can.** Your clothing, location, and other items can be evidence in the case, so do not delay in reporting the crime. Provide the police all of the information that you can. Document as many details as possible, including as much as you can remember about the perpetrator, the location, and any other information. Urge the officer to note that the crime was a hate crime or was motivated by bias.
- **Seek medical treatment if necessary, and support from family, friends, or professionals.**
- **Whether or not you report the crime to local law enforcement, you can also file a report with the Federal Bureau of Investigation (FBI), the lead investigative agency for violations of federal hate crime statutes, or the U.S. Attorney's Office.** The FBI's Washington office can be reached at 206-622-0460, or submit a tip online at: <https://tips.fbi.gov/>. For information about contacting the U.S. Attorney's Office in the Western District of WA visit: www.justice.gov/usao-wdwa/civil-rights, or in the Eastern District of WA visit: www.justice.gov/usao-edwa/contact-us.

Resources are available regardless of the victim's immigration status. Interpretation services are available.

What resources are available to victims?

Washington State Crime Victim Service Center Hotline (WACVSCH) Call or Text 1-888-288-9221 or visit www.wacvschotline.org/.

Victims across Washington State can speak with a trained advocate 24 hours a day, 7 days a week. WACVSCH can also locate an advocate at a Crime Victim Service Center near you. Crime Victim Service Centers offer a variety of services including crisis intervention, advocacy, courtroom support, information and more.

Services are available to support all individuals regardless of whether or not the incident was reported to law enforcement and when it occurred.

Crime Victim Service Centers can provide assistance with applying for crime victim compensation.

Crime Victims Compensation Program: Visit www.lni.wa.gov/claims/crime-victim-claims/apply-for-crime-victim-benefits/ or call 1-800-762-3716 For those who qualify, the fund can pay for medical/dental treatment, medication, mental health treatment, grief counseling, partial wage loss replacement, funeral expenses, and other expenses, such as co-pays and deductibles, not covered by other insurance.

To qualify for benefits you must have:

- Sustained a physical injury or mental health trauma as a result of a crime in Washington State;
- Reported the crime to law enforcement and cooperated with the investigation; and
- Filed a report with law enforcement within one year from the date of crime or within one year from when it reasonably could have been reported.